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1 IT IS HEREBY STIPULATED by and between Plaintiff JON CORDOVA ("Plaintiff") and
2 Defendant CONVERGYS CORPORATION ("Defendant"), by and through their respective counsel, as
3 follows:

4 1. Plaintiffs may file a Second Amended Complaint in the form of **EXHIBIT 1** hereto
5 without a motion and upon the Court's Order based on this Stipulation;

6 2. By agreeing to the filing of the Second Amended Complaint without the necessity of a
7 Motion for Leave to Amend, Defendant is: a) not waiving any right to file a responsive pleading in any
8 form, including a Motion to Dismiss or Strike; and b) not admitting any fact or contention set forth in
9 said Second Amended Complaint;

10 3. Defendant shall have 21 days from the date of the filing of Plaintiff's Second Amended
11 Complaint to file and serve its responsive pleading thereto.

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13 **IT IS SO STIPULATED.**

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15 DATED: July 18, 2011

GUY KORNBLUM & ASSOCIATES

16
17 By s/Walter G. Crump
18 WALTER G. CRUMP
Attorneys for Plaintiff

19
20 DATED: July 18, 2011

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

21
22 By s/ Thomas M. McInerney
23 THOMAS M. MCINERNEY
24 Attorney for Defendant

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26 **ORDER**

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28 PURSUANT TO THE PARTIES' STIPULATION SET FORTH ABOVE AND GOOD CAUSE
BEING SHOWN THEREFORE, IT IS HEREBY ORDERED THAT Plaintiff may forthwith file his

1 Second Amended Complaint in the form of **EXHIBIT 1** hereto, and that the other terms of the above
2 stipulation are incorporated into this order.

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4 **IT IS SO ORDERED.**

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6 Dated: 7/19/11

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9 HON. RICHARD SEEBORG
10 UNITED STATES DISTRICT COURT JUDGE
11 NORTHERN DISTRICT OF CALIFORNIA
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